

1-1 By: Price (Senate Sponsor - Deuell) H.B. No. 1762
 1-2 (In the Senate - Received from the House May 1, 2013;
 1-3 May 2, 2013, read first time and referred to Committee on State
 1-4 Affairs; May 7, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; May 7, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1762 By: Deuell

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to workers' compensation and other remedies available to
 1-22 an injured temporary employee.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 93, Labor Code, is amended by adding
 1-25 Section 93.004 to read as follows:

1-26 Sec. 93.004. WORKERS' COMPENSATION INSURANCE COVERAGE. (a)
 1-27 A certificate of insurance coverage showing that a temporary
 1-28 employment service maintains a policy of workers' compensation
 1-29 insurance constitutes proof of workers' compensation insurance
 1-30 coverage for the temporary employment service and the client of the
 1-31 temporary employment service with respect to all employees of the
 1-32 temporary employment service assigned to the client. The state or a
 1-33 political subdivision of the state shall accept a certificate of
 1-34 insurance coverage described by this section as proof of workers'
 1-35 compensation coverage under Chapter 406.

1-36 (b) For workers' compensation insurance purposes, if a
 1-37 temporary employment service elects to obtain workers'
 1-38 compensation insurance, the client of the temporary employment
 1-39 service and the temporary employment service are subject to
 1-40 Sections 406.034 and 408.001.

1-41 (c) Except as provided by Subsection (d), an employee's
 1-42 election under Section 406.034(b) made with respect to the
 1-43 temporary employment service applies to any client of the temporary
 1-44 employment service, and the employee may not make a separate
 1-45 election under that section with respect to the client.

1-46 (d) If an employee elects to retain a common-law right of
 1-47 action under Section 406.034(b) with respect to the temporary
 1-48 employment service, that election does not apply to a client of that
 1-49 temporary employment service if the client is not subject to
 1-50 Section 406.034.

1-51 SECTION 2. The change in law made by this Act applies only
 1-52 to a claim based on a work-related injury that occurs on or after
 1-53 the effective date of this Act. A claim based on a work-related
 1-54 injury that occurs before the effective date of this Act is governed
 1-55 by the law in effect on the date the injury occurred, and the former
 1-56 law is continued in effect for that purpose.

1-57 SECTION 3. This Act takes effect September 1, 2013.

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